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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10

11 United States of America,
12 Plaintiff,
13 v.
14 James Robert Metzger,
15 Defendant.
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Case No. CR-05-00649 CW

**ORDER EXCLUDING TIME FROM
SPEEDY TRIAL ACT
CALCULATIONS AND CONTINUING
HEARING DATE**

1 Based on the parties' stipulation and for good cause shown, the Court
2 hereby CONTINUES the December 19, 2005 status conference to January 23, 2006. The
3 Court hereby finds, based on information provided by the parties, that an exclusion of
4 time under the Speedy Trial Act from December 19, 2005 to and including January 23,
5 2006 is appropriate pursuant to 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The
6 ends of justice served by granting the requested continuance outweigh the best interests of
7 the public and of the defendant in a speedy trial and the prompt disposition of criminal
8 cases, and failure to grant the continuance would deny counsel for the defendant the
9 reasonable time necessary for effective preparation, taking into account the exercise of
10 due diligence.

11 SO ORDERED.

12 Dated: December _23, 2005

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14 /s/ CLAUDIA WILKEN

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17 THE HONORABLE CLAUDIA WILKEN
18 U.S. District Judge
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